

REMARKS

Claims 19, 41, 43, 44, 74-78, and 82 have been amended, Claims 42, 49, 62, 79, 81, and 85 have been newly cancelled, and new Claims 86 to 94 have been added above, to more particularly point out and distinctly claim Applicants' invention. Support for new Claims 86 to 94 can be found, for example, in Claims 19, 42, 43, and 85.

Claims 76, 77, 81, and 82 have been rejected under 35 U.S.C. §112, first paragraph. The Examiner's attention is directed to the amendments to the claims above, where Claims 76, 77, and 82 have been amended and Claim 81 has been cancelled. It is believed that these amendments overcome this rejection.

Claims 19, 41-45, and 74-85 have been rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. The Examiner maintains that the claims contain subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. More particularly, the Examiner comments that the subject matter not disclosed is how to make a unitary/signal electrode having a capacitance greater than 300 microfarads and less than 3000 microfarads, in combination with other elements in the claim.

Applicants respectfully traverse the above rejection.

It is respectfully submitted that the above rejection is inappropriate and that an art-skilled person reading the specification herein would be able to prepare a lead according to the invention. There is abundant description in the specification of the materials and procedures that would be necessary for an art-skilled person to practice the invention. Applicants respectfully disagree that the description is "minimal", as characterized by the Examiner. Rather, the Examiner has focused on the Examiner's perception that an art-

skilled person would be unable to prepare leads having a capacitance within the range of from greater than 300 microfarads to less than 3000 microfarads, without more information.

The Examiner's attention is directed to the Declaration Under 37 C.F.R. §1.132 of of Shawn Moaddeb attached hereto. Mr. Moaddeb, who has extensive experience in the field of designing and manufacturing leads, indicates what he would expect an art-skilled person to know or have access to and how a lead can be manufactured to have a capacitance within a desired range, such as within the range of from greater than 300 microfarads to less than 3000 microfarads.

As mentioned in the previous Amendment, the delivery electrodes of the present invention have a capacitance of from greater than 300 microfarads to less than 3000 microfarads (see, page 20, Claim 41, and Claim 43) and an impedance in the range of 50 to 500 ohms (page 22, Claim 83, and Claim 84). These values are clearly outside of the ranges of those known in the art to be beneficial for producing either pacing or defibrillation signals.

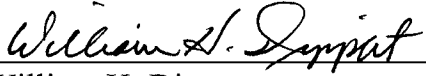
Applicants respectfully submit that present claims are fully enabled and that the rejection under §112, first paragraph, for lack of enablement should be withdrawn.

Should the claims herein be allowable but for minor matters that could be the subject of either a supplemental submission by Applicants or an Examiner's Amendment, Applicants would appreciate the Examiner's contacting Applicants' undersigned attorney. In the alternative, Applicants would appreciate the opportunity to conduct an interview with the Examiner prior to issuance of another Office Action and respectfully request that the Examiner contact Applicants' undersigned attorney to discuss a mutually convenient time for doing so.

Reconsideration and allowance of all the claims herein are respectfully requested.

Respectfully submitted,

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